

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 512 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-11-1-27 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2009]: **Sec. 27. (a) The state board of accounts shall each year**
- 6 **prepare a report that includes the following information for each**
- 7 **township for the preceding calendar year:**
- 8 (1) The population of the township.
- 9 (2) The budget, property tax levies, and property tax rates
- 10 adopted by the township and approved by the department of
- 11 local government finance.
- 12 (3) The assessed valuation in the township used to determine
- 13 property taxes first due and payable in the preceding calendar
- 14 year.
- 15 (4) The balance in each township fund as of the end of the
- 16 preceding calendar year.
- 17 (5) A summary of the township assistance information
- 18 submitted by the township trustee under IC 12-20-28-3.
- 19 (6) A summary of any statutory compliance issues or
- 20 exceptions noted by the state board of accounts in its
- 21 examination report for the township for the preceding
- 22 calendar year.
- 23 (7) A description of any interlocal agreements in effect
- 24 concerning the township's functions and duties.
- 25 (8) A description of any resolutions or petitions concerning
- 26 the township that were adopted or submitted under IC 36-1.5
- 27 (government modernization) during the preceding calendar
- 28 year.
- 29 (9) A description of the property owned or leased by the
- 30 township.
- 31 **(b) To the extent that the information required by subsection (a)**

has not been previously submitted to or certified by the state board of accounts or the department of local government finance, a township shall submit the information to the state board of accounts on a schedule established by the state board of accounts.

(c) The state board of accounts shall do the following before July 1 of each year:

(1) Submit a copy of the report prepared under subsection (a) to the executive director of the legislative services agency in an electronic format under IC 5-14-6.

(2) Submit to the county council of each county a copy of the information compiled in the report for each township within the county."

Page 2, line 12, delete "This subsection does not apply in a county having a".

Page 2, line 13, delete "consolidated city."

Page 6, line 27, delete "does not" and insert **"applies to all townships."**

Page 6, delete line 28.

Page 8, line 24, delete "This subsection does not apply in a county having a".

Page 8, line 25, delete "consolidated city."

Page 8, line 28, after "IC 6-1.1-17-20.2." insert **"If a county fiscal body does not finish its review and approval or disapproval within fifteen (15) days after receiving a proposed additional appropriation, the additional appropriation is considered to be approved by the county fiscal body. If a county fiscal body disapproves or modifies a township's proposed additional appropriation, the township may appeal that disapproval or modification to the department of local government finance under rules or guidelines established by the department of local government finance."**

SECTION 7. IC 36-1-8-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 17. (a) Each township office must include the address, phone number, and regular office hours (if any) of the township office in at least one (1) local telephone directory.**

(b) A public meeting or a public hearing of a township official or governing body may not be held in a private residence.

SECTION 8. IC 36-6-4-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 12. (a) At the annual meeting of the township legislative body under IC 36-6-6-9 the executive shall present a complete report of all receipts and expenditures of the preceding calendar year, including the balance to the credit of each fund controlled by the executive. If the executive controls any money that is not included in a particular fund, then the executive shall state all the facts concerning that money in the report.**

(b) Each item of expenditure must be accompanied by the verified

- 1 voucher of the person to whom the sum was paid, stating:
- 2 (1) why the payment was made;
- 3 (2) that the receipt is for the exact sum received;
- 4 (3) that no part of the sum has been retained by the executive; and
- 5 (4) that no part of the sum has been or is to be returned to the
- 6 executive or any other person.

7 The executive may administer oaths to persons giving these receipts.

8 **(c) The report must separately list each expenditure that is**

9 **made to reimburse the executive for the executive's use of personal**

10 **property for public business, including any reimbursements made**

11 **for the executive's use of a private residence, a personal telephone,**

12 **or a personal vehicle for public business.**

13 ~~(c)~~ **(d)** The executive shall swear or affirm that:

14 (1) the report shows all sums received by him;

15 (2) the expenditures credited have been fully paid in the sums

16 stated, without express or implied agreement that any part of the

17 sums is to be retained by or returned to the executive or any other

18 person; and

19 (3) the executive has received no money or other property in

20 consideration of any contract entered into on behalf of the

21 township.

22 ~~(d)~~ **(e)** Within ten (10) days after the legislative body's action under

23 IC 36-6-6-9, the executive shall file a copy of the report and its

24 accompanying vouchers, as adopted by the legislative body, in the

25 county auditor's office. The legislative body may, for the benefit of the

26 township, bring a civil action against the executive if the executive fails

27 to file the report within ten (10) days after the legislative body's action.

28 The legislative body may recover five dollars (\$5) for each day beyond

29 the time limit for filing the report, until the report is filed."

30 Page 9, line 16, delete "This subsection does not apply in a county

31 having a".

32 Page 9, line 17, delete "consolidated city."

33 Page 10, line 21, delete "section" and insert "**chapter**".

34 Renumber all SECTIONS consecutively.

(Reference is to SB 512 as printed February 20, 2009.)

Senator LAWSON C